

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

Stewart D. Lyman and  
M. Patricia Beckmann

Serial No: 08/994,468

Filed: December 19, 1997

CPA Filed: May 26, 2000

For: MEDIUM CONTAINING FLT3 LIGAND FOR CULTURING  
HEMATOPOIETIC CELLS (as amended)



Docket No.: 2813-L

Group Art Unit: 1644

Examiner: P. Gambel, Ph.D.

TECH CENTER 1600/2900

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JM

9/12/02

**Response to Final Office Action**

Dear Sir:

In response to the Final Office Action (paper no. 21), having a mailing date of April 4, 2002, Applicants respectfully submit the following response. A Petition for a two-month extension of time and requisite fee are included extending the date of response from July 4, 2002 to September 4, 2002. A Notice of Appeal and requisite fee are also included with this filing. In view of the following amendments and accompanying remarks, Applicants respectfully request reconsideration and allowance of the pending claims.

The claims have been amended as per our previous conversations. In short, claims 1-8 have been amended to limit Flt3-ligand polypeptides to the human sequence (SEQ ID NO:6) and claims 19-26, 29 and 30 have been amended to variants having 90% identity. Claims 9-16, 27 and 28 have been cancelled because they are redundant in that they were also drawn to human Flt3-ligand polypeptides. Applicants submit the present claims do not contain new matter and place the application in condition for allowance.

Applicants kindly ask the Examiner's indulgence in considering and entering the claim amendments after final because these amendments were provided to the Examiner on July 24, 2002 for consideration and are the culmination of our previous conversations.

Finally, the Final Office Action states the drawings were objected to, but as you may recall, the draftsperson's review form was for an unrelated application, which was returned to the Examiner. The present application as originally filed did not contain drawings.

## AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Stewart D. Lyman and M. Patricia Beckmann

Docket No.

2813-L

Serial No.  
08/994,468Filing Date  
December 19, 1997Examiner  
P. GabelGroup Art Unit  
1644

Invention: P MEDIUM CONTAINING FLT3 LIGAND FOR CULTURING HEMATOPOIETIC CELLS (as amended)

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Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

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## CLAIMS AS AMENDED

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ADDITIONAL

|   | CLAIMS REMAINING<br>AFTER AMENDMENT | HIGHEST #<br>PREV. PAID FOR | NUMBER EXTRA<br>CLAIMS PRESENT | RATE      |   |
|---|-------------------------------------|-----------------------------|--------------------------------|-----------|---|
| TOTAL CLAIMS                                    | 20 -                                | 30 =                        | 0                              | x \$18.00 | \$0.00                                  |
| INDEP. CLAIMS                                   | 18 -                                | 8 =                         | 10                             | x \$84.00 | \$840.00                                |
| Multiple Dependent Claims (check if applicable) |                                     |                             |                                |           | \$0.00                                  |
|   |                                     |                             |                                |           | TOTAL ADDITIONAL FEE FOR THIS AMENDMENT |
|   |                                     |                             |                                |           | \$840.00                                |

- No additional fee is required for amendment.
- Please charge Deposit Account No. 09-0089 in the amount of \$840.00  
A duplicate copy of this sheet is enclosed.
- A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No.  
A duplicate copy of this sheet is enclosed.
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.



Signature

Dated: September 4, 2002

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I certify that this document and fee is being deposited on Sept. 4, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
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Nanci M. Kertson

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